

In re YAGYU
10/020,275

REMARKS

The Examiner is thanked for the First Action dated April 02, 2003. The above amendment and remarks to follow are intended to be fully responsive to the issues presented in that Action.

Claims 1-3 were objected to for several minor formalities which have been corrected by the above amendment.

Claim 1 was rejected under 35 U.S.C §102(b) as being unpatentable by Kobayashi (USP 5,092,703). Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pazdirek et al. (USP 6,398,446) in view of Kobayashi '703. Claims 1 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shimizu et al. (USP 5,368,408) in view of Kobayashi '703. These rejections are respectfully traversed in view of the foregoing amendments and the following comments.

The present invention is a combination composite tie rod and metallic ball-joint box or housing. The prior art fails to teach this combination of components. Kobayashi '703 teaches a ball joint with a composite ball joint box or housing and a composite rod or shaft portion 32. Pazdirek et al. '446 and Shimizu et al. '408 are silent about the materials forming the tie rod and do not provide a combination of materials with the tie rod formed of a composite material and a housing or ball joint box formed of metal.

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It would not be obvious, absent teaching or motivation, to alter Kobayashi '703, Pazdirek et al. '446 or Shimizu et al. '408 in the manner suggested by the Examiner. First, only Kobayashi '703 teaches a composite structure for ball joints; and, secondly, the remaining prior art references applied by the Examiner fail to teach a combination of different materials forming the ball joint and tie rod. Applicant respectfully submits that the combination of the prior art document applied by the Examiner will not result in the combination of materials set forth in the amended claims. Instead, the prior art teaches either all composite structures or all metal structures.

Since there are no outstanding issues in this application, it is respectfully submitted that this application is in condition for allowance and notice to that effect is earnestly solicited. Should the Examiners believe additional discussion would advance the prosecution of the instant application, they are invited to contact the undersigned at the local telephone number listed.

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